

attacks against our country rather than focusing on bringing them immediately into our civilian court system. A man such as Osama bin Laden's son-in-law should never hear the words "You have the right to remain silent." We can't afford to have him be silent. We need to know everything he knows to protect our country, its citizens, and to prevent future attacks on America and our allies.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, parliamentary inquiry: Has all time expired from the respective parties utilizing their morning business allocation?

The PRESIDING OFFICER. It has.

CONTINUING APPROPRIATIONS

Ms. MIKULSKI. Mr. President, I am rising to speak on the continuing resolution to keep government funded for the rest of the year.

I chair the full committee of the Appropriations Committee. My very able and esteemed colleague, Senator SHELBY, is the vice chairman. We come to the floor to talk about our legislation, which is an amendment to the House CR to fund the Federal Government for the rest of the fiscal year. It continues the bipartisan tradition of the Appropriations Committee working closely with both sides of the aisle, and I wish to thank Senator SHELBY for his excellent cooperation and his wise counsel in doing this and actually cosponsoring this.

Our leadership, Senators REID and MCCONNELL, has been critical to allowing us to come to the floor and have our bill be debated openly, to have appropriate amendments, and then to have it voted on by the full Senate. In today's toxic environment in Washington, I must say our conversations have been characterized by civility, collegiality, and absolute candor—what we can do; what we can't do, not what we would like to do but what we must do to keep the government's doors open.

I also want to comment on the excellent tone and conversation we have had with the House, specifically our House counterparts, HAL ROGERS, the chairman of the House Appropriations Committee, and Congresswoman NITA LOWEY. We have talked with each other and worked together, and if we continue to do that without other intervening dynamics, we can get this bill done.

Before I go into our bill to offer its content, I want everybody to understand there are three things at play in Washington this week. We use arcane language, so nobody knows what is going on. There is the sequester, there is the continuing resolution, and there is the Budget Committee. Everybody is going to get confused because everybody is getting it commingled. All of it is getting press and the American peo-

ple don't understand there are three separate solutions to three separate problems.

Let me go to the Budget Committee, which will be on the floor next week, and Senator MURRAY is vociferously and persistently working on that bill. That is for fiscal year 2014. That is the framework on how we are going to approach our overall budget: What are we going to spend, what revenues we are going to have to raise, if any, and also a review of mandatory spending. That is going on over there. That is for fiscal year 2014.

The Mikulski-Shelby continuing resolution is the appropriations bill—not a personality bill—that will fund the government through 2013. The American people might say: Didn't you do that in October? Isn't our fiscal New Year's Eve October 1? Well, not really. What happened is we were going into the heat and passion and prickliness of an election year, so the wise heads thought it best to extend it where cooler heads would prevail in March. So here we are. We are the cooler heads, and we are ready to prevail. What we have here now is that legislation.

Everybody needs to understand this: On March 27, that continuing resolution expires. If we do not pass our bill and then have an agreement between the House and the Senate that is signed by the President, we could face a government showdown. There is no will on either side of this institution that wants to do that. We are absolutely committed to no shutdown, no showdown, no lockdown, no slamdown. We want to do the job, and that is why we have been working very carefully to do that.

What we will offer today is funding through the fiscal year, which will take us to October 1, and that meets the mandatory cap assigned to us by the Budget Committee of \$1.4 trillion. That is a lot of money, but it is a big government with big responsibilities. It includes everything from defense—defending us over there—to the border control—defending us here—to meeting compelling human need and making investments in science and technology while ensuring we do what we need to do.

Our legislation is quite simple and straightforward. It includes five appropriations bills. Two are already in it from the House—defense, military construction, and veterans. It will also include agriculture, homeland security, and a subcommittee that Senator SHELBY and I are chair and vice chair of that funds the entire Justice Department. That means FBI, Federal law enforcement, and science and commerce. So we have Ag, CJS, homeland security and defense. Defense and military construction are identical to the House. Agriculture, CJS and homeland security are consistent with bipartisan and bicameral agreements negotiated last fall.

Remember, we are reaching across the aisle, we are reaching across the

dome. That is how we are trying to do it. However, there are seven remaining bills in the continuing resolution, and they are energy and water—money for things such as the Corps of Engineers—interior and environment, financial services, transportation, Labor-HHS, state and foreign ops, and the legislative branch. That means they are provided current funding levels and policies with some very limited changes to fix present problems. These are called anomalies.

The Senate version, as I said, totals \$1.43 trillion, which is equal to the House CR. So the top line is the same; the difference is how we achieve national goals. It is equal to the House continuing resolution, and it is the same as required by the Budget Control Act. We are absolutely in compliance with the Budget Control Act.

Sequester mandates another \$86 billion in cuts. That comes over what we do, and that solution is to be negotiated by the President and the leadership with the concurrence of both bodies. That is part of the charm offensive that is going on now. OK. Sequester needs a balanced solution, and we will be listening and awaiting their ideas, but right now we are looking at our bill that includes bipartisan amendments, minimizing the problems of operating and returning to a regular order for fiscal year 2014.

The amendment we offer is much better than an extension of the current continuing resolution. Why don't we take a date and just change 2012 to 2013? We don't do that because our bill makes reforms. We actually get more value for the dollar. If we just extended it, we would sometimes be spending money on unneeded programs, one of which would be—in our bill, CJS—\$500 million for a space shuttle that doesn't exist. We want to change that and put it where it belongs, into the proper defending of our Nation and investing in science and technology. So a date change in a continuing resolution is not workable.

The Senate amendment improves the House CR by adding those three domestic bills and, as I said, includes a number of changes. I could go through each and every one of those changes, such as in agriculture, but what I wish to do is explain the process now. I do want to explain the content of my bill; however, I am going to take 1 minute now and yield to Senator SHELBY for his opening statement and then I will come back and explain the details of our actual funding.

I must say again, I have appreciated not only the civility and the collegiality but the candor. We had to look at not what we would like to do and not even what we should do but what we must do to keep government operating, to achieve the national goals America wants: our national security, both those who wear the uniform of the U.S. military as well as others who defend the Nation, such as border control, Federal law enforcement, law enforcement at the local

level, food safety and drug safety inspectors, to make sure we meet compelling human need in the fields of education, biomedical research. This is what we are trying to do—weather satellites that predict future natural disasters.

Again, we don't have a bill that is what we would like to do, what we have is a bill that is what we must do. If we all work together—and we ask those who have amendments to be working with our leadership—we believe we can move this bill by the middle of this week; that by the week's end, the certainty of government funding will have been established and we will have shown we can govern.

I yield the floor so my vice chairman can say what he wishes to say to add to the debate.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, first of all this morning I would like to thank Chairwoman MIKULSKI for her willingness to work together in good faith and to introduce the bill that keeps the government running for the rest of the fiscal year. The chair and I have had what I would characterize as a long and productive working relationship. I think this bill is a very clear signal that we intend to continue that relationship for the good of the legislative process and the American people.

I believe Congress must learn to deal with the spending constraints that have become a necessary reality for all of us. Much more work remains to be done to secure our fiscal future, including fixing entitlement programs and reforming our Tax Code. However, today we have taken the first step to show the American people Congress can come together on important issues. My hope is we will continue to do so.

I am pleased to say Chairwoman MIKULSKI and I have accomplished three shared goals in this proposed legislation. First, this bill will prevent a government shutdown. Nobody in America wants that. Moving from one continuing resolution to the next only delays our problems and creates added uncertainty. I hope we can return to the regular order of producing budgets and appropriations bills to avoid the threat of a shutdown in the future.

Second, this bill will provide more flexibility for the remainder of the year so that government agencies can deal with the reality of the sequester which remains fully in place here.

Third, I believe this bill is a product both parties in both Houses can support. It prioritizes spending and aims to steer clear of divisive issues.

In addition, discretionary spending is subject to the caps put in place by the Budget Control Act, and this bill complies with those levels. As noted, spending cuts made by the sequester will come on top of these constraints.

I support moving forward with this bill, and encourage my colleagues to join together to do the same. Many Americans have lost faith that Repub-

licans and Democrats can work together on anything. I believe this bill demonstrates it is possible, and I hope it will pave the way for a more productive relationship in the future. And while we are sure to disagree on many issues, I remain positive we can restore regular order in the Congress and deal with pressing fiscal matters in a timely bipartisan manner.

I think I speak for both of us when I say we are committed—yes, we are committed—to putting the budget and appropriations process back on track. We look forward to working with our colleagues who share that goal and are willing to join us in this effort. This is a new beginning.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, you can see our tone. We need everybody's cooperation, if they have amendments, to bring them to us and also to the leadership which is helping us negotiate which ones will come up, and I think we can get this bill done this week.

But I wish to say why getting it done is worthwhile. I want to speak about agriculture, and I wish to speak about some of the content we have, and do it in alphabetical order because it is easier for folks to follow.

In agriculture, our amendment makes sure we fund the Food Safety Modernization Act which is not included in the House bill. This is the first major reform of food safety laws in 70 years and is much needed. CDC says 48 million Americans suffer from food-borne illness each year.

This morning before I came to the floor, I attended a hearing on the Select Committee on Intelligence that I am a member of. General James Clapper, the Director of National Intelligence, along with key people from the military, civilian agencies such as FBI Director Mueller, gave us a 30-page report on threats to the United States. One of the things they talked about was the safety of our food supply. We need to make sure we have inspectors on the ground for what might occur through bacteria or what might also be induced. So food safety is a big issue.

This amendment is also better at improving clean water to rural communities, and provides 165 rural communities with clean water and waste disposal, creating construction jobs today, and improving community health. I am very well versed in that because, along with Senator CARDIN, we represent 2,000 miles of the Chesapeake Bay. We have older communities. We have issues related to wastewater treatment that are not only polluting the Bay but are very difficult to repair because of the very nature of our population—wonderful, patriotic people who don't have a lot of cash to pay a lot of taxes for wastewater. But in helping them, we improve public health and we save the Chesapeake Bay with all its seafood industry. That is just me. But we could go everywhere.

Commerce, Justice, Science, that is a subcommittee I chair. Boy, do I like it. Why do I like it? Because it goes to everything we are talking about: about justice, about jobs today and jobs tomorrow. When we look at our Department of Commerce, which should be the point place for American business really promoting private sector initiatives and, most of all, promoting exports—not sending jobs overseas but sending products and services—that is where the trade negotiation goes. This is part of our economic vitality. This is where we have bipartisan agreement. Let's engage in free and open and fair trade. That negotiation staff and so on is funded through our subcommittee.

We also want to protect our borders. That is going to be in homeland security. In our justice funding, we fund Federal law enforcement and provide funds to local communities on a competitive basis to put cops on the beat and to give them the appropriate things they need to protect themselves.

Let's look at the Byrne grants, the main Federal tool that helps State and local law enforcement. We provide more money. That means more money for body armor, more money for them to learn the latest tips and so on, and stopping the gang threat. It also provides COPS on the Beat grants. Both of those are modest increases over the House funding. When I say modest, do you know what I am talking about? For all that local law enforcement does, we are going to provide \$15 million. That is not a lot of money by Washington's terms, but to the local police departments it will be a help.

Commerce-Justice also supports innovation. It is in this subcommittee that we fund the National Science Foundation \$220 million more than the House. That means we will be able to provide more help to 7,000 scientists and teachers making new discoveries for new products that will lead to new companies and new jobs. This is what we do.

We are better than the House also in homeland security. This amendment does more to protect the Nation from cyber warfare. Cyber warfare is one of the greatest threats facing America. Again, in this 30-page report we have on threats, the first five pages were devoted to all of the cyber problems. What kind of cyber problems? Cyber attacks, cyber espionage, and the growing nexus between organized crime and nation states, preventing hacking, stealing our state secrets, our trade secrets and also the human trafficking of children and women, weapons of mass destruction. Where you sell women and children as a commodity across the borders of the world through organized crime and corrupt government officials, you will also sell other kinds of things, including weapons of mass destruction. So this is where we need to fund homeland security, the Department of Defense, the FBI, our contribution to Interpol. All of that is in the bill, and we do better—not a lot better

because we are frugal; again, not what we would like to do, but what we must do.

Also under homeland security, we make sure we look at that which puts people in harm's way. In my own State, and others, there is the issue of fires. Most fire departments in big cities are run by professionals, but in most rural communities they are run by the great volunteer fire departments. We have a fire grant program that I helped start that trains and equips local firefighters. What we do here is provide more money—\$33 million above the House—to help provide those grants, and we also provide additional funds to help State and local fire departments.

In the area of compelling human need, I want to talk about the Subcommittee on Education, Labor, and Human Services. This is the subcommittee that funds compelling human need. And what do we do here? We look after childcare development block grants, we support care for 9,000 more children, and we also make sure we adequately fund Head Start by providing modest sums there.

In addition, we also provide more money to the National Institutes of Health, \$71 billion. But put that into the context that they are going to take a \$1.5 billion hit in sequester.

I know the Presiding Officer represents a great State, Hawaii. Who wouldn't love Hawaii? But I wish the Presiding Officer would look at Maryland. Not only do we have the wonderful Chesapeake Bay, a Super Bowl championship, but we have other "super bowl" winners. They are called the National Institutes of Health, the National Security Agency, the National Weather Agency.

Just the other day when I was over at NIH, they told me—and told America through their communications—that NIH's work, working with clinicians and the private-led science sector, has reduced cancer rates in the United States of America by 15 percent in breast cancer, prostate cancer, lung cancer. And it is all those wonderful researchers at the Bethesda campus and in academic centers of excellence all over America. But instead of pinning medals on those people and encouraging young people to come into science, we could end up giving them a pink slip. What are we doing?

I not only want to lower cancer rates, but I want to improve and raise the discovery rate. This is what we do in this CR. We are working with them on a bipartisan basis. This is helping American people and giving us products that are approved by FDA that we can sell and ship around the world, particularly to countries that could never do it.

So I am all about jobs—jobs today and jobs tomorrow. That is why what we do in transportation, housing, and urban development is also a big step forward. In addition to looking out for the homeless, we provide an additional amount of money for highway and road

safety programs, where people actually working with funds going to Governors at the local level—not some shovel-ready gimmick—can identify projects in the pipeline we could generate in construction. We can improve public safety by smart highways. And, literally, we can help get America rolling again; we have a fragile economy.

I could go on about this bill, but this is a general outline, and I will talk more about it. I feel very passionate about it because we have squeezed every nickel, we have looked at it very fastidiously to make sure that we are right within our mandated spending cap to assess our national priorities: national security, compelling human needs, how we can help create jobs, look out for the middle class, and make those investments that improve the lives of the American people and generate jobs tomorrow.

I think we have a very good bill. I ask everyone's cooperation to get it passed.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

THE SEQUESTER

Mr. KAINE. Mr. President, I rise in support of the work Chairwoman MIKULSKI and Ranking Member SHELBY and the Appropriations Committee have done and the place they will bring us to on the floor of the Senate this week as we take an important step forward to fix the fiscal year 2013 budget. I will be meeting tomorrow—as many legislators do during the course of the year—with my Governor. All of the Virginia delegation will be sitting down with Governor McDonnell, who will be visiting, and he and the State will view this as very good news as we can talk about this work product.

I made my first speech on the floor about 2 weeks ago, and it was a speech that was kind of a plea. It was a plea to avoid the economic self-inflicted wound of sequester. As we all know, we were not able to do that at the time. There were two bills, and neither of them was able to get sufficient votes to move forward. The negative consequences from that sequester have been felt in the Commonwealth, as I traveled around, whether it is warn notices to ship repairers in the Hampton Roads area, planned furloughs of DOD civilian employees, or a delay in a carrier deployment that could potentially leave us more vulnerable in the Middle East.

The good news is that we can fix it and improve it. The Appropriations Committee's work discussed today is a way to begin to do that. We have a chance to get it right and to reduce the negative effects of sequester by dealing effectively with the expiring CR for fiscal year 2013 and then producing a progrowth 2014 budget. This is the work before this body in the next few weeks, and we need to do our very best work.

On the continuing resolution, it has been made clear in the comments be-

fore, we do not have a fiscal year 2013 budget or appropriations bills at the current time, so since October, we have been operating out of 2012 appropriations bills, pushed forward for a few months at a time. This leads us to a situation where we are not forward-focused, but we are operating out of an old playbook. We need to align our spending around this year's priorities and not be locked into funding the priorities of the past.

The Department of Defense—just to focus on this for a minute because defense is critical to the Commonwealth, as it is to all States—is very constrained by the continuing resolution that is currently in place. There is a \$11 billion operations and maintenance shortfall that is difficult for DOD to manage in a way that will keep us safe. There is a lack of flexibility to adjust to new needs. There are no new starts on important projects, including on the shipbuilding and naval side, which is so important to the Commonwealth. That has already led to a delay in the construction of one of the new Ford class aircraft carriers, the USS *John F. Kennedy*, with a consequent potential loss in jobs. Other agencies throughout the Federal Government have been similarly affected.

The good news is that there is a solution. Chairwoman MIKULSKI and Senator SHELBY, the ranking member, have worked together to lay that out today. This week we will work together on a true appropriations bill for the remainder of fiscal year 2013 for critical government functions: Department of Defense, military construction, the VA, but also homeland security, agriculture, commerce-justice-science. There are other governmental functions that will continue to operate under the fiscal year 2013 CR, but in many areas we will not be working off a backward-looking document. For the remainder of the year at least, because of the work of this committee, we can look at a forward-looking document.

Again, I congratulate Chairwoman MIKULSKI and Ranking Member SHELBY and the Appropriations Committee for working so hard together with House colleagues to put us in this posture. A true appropriations approach to the remainder of fiscal year 2013 fixes many of the DOD problems I outlined earlier. For example, it will allow us to go forward on the shipbuilding contract to construct a second Ford class carrier, the USS *John F. Kennedy*. That will be wonderful news for our defense and wonderful news for the shipyard that is the largest private employer in Virginia. It will allow us to move forward on significant ship refurbishment and repair contracts. The repair and refueling of the USS *Roosevelt* and the USS *Lincoln* were delayed as a result of the uncertainty about the budget, but the work this committee is doing will enable us to move forward.

We will be able to not completely eliminate the operations and maintenance deficits but at least make moves